

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of Paul Kenneth RAND

Serial No.: To be assigned

Art Unit: To be assigned

Filing Date: Concurrently herewith

Examiner: To be assigned

For: *Capsule for a Powder Medicament*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

☒ Copies of the references listed on the attached form PTO-1449 as item nos. 14, 17-21, and 34-42 are enclosed

☐ Copies of the references were submitted in parent application Serial No. \_\_\_\_\_ (37 CFR 1.98(d))

☒ A copy of the International Search Report which issued on International Application No. PCT/EP2003/013074 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 as item nos. 1, 3-4, 15-16, and 30 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:

- (1) a final action under § 1.113 or
  - (2) a notice of allowance under § 1.311,
- whichever occurs first.

☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

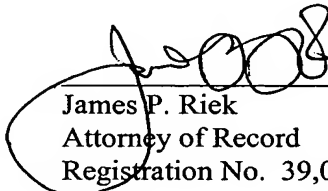
In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. **[or]**
- ☐ Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and
- ☐ The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted,

  
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Attorney of Record  
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Date: May 19, 2005  
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

<b>SERIAL NO.</b>	<b>To be assigned</b>
<b>FILING DATE</b>	<b>Concurrently herewith</b>
<b>APPLICANT</b>	<b>Paul Kenneth RAND</b>
<b>GROUP</b>	<b>To be assigned</b>
<b>EXAMINER</b>	<b>To be assigned</b>
<b>ATTORNEY DOCKET NO.</b>	<b>P33149USw</b>

Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	1.	1,410,556	03/28/1922	DORMENT			
	2.	2,587,215	02/26/1952	PRIESTLY			
	3.	2,590,832	03/25/1952	BROWN			
	4.	2,642,063	06/16/1953	BROWN			
	5.	4,391,590	07/05/1983	DOUGHERTY			
	6.	4,446,862	05/08/1984	BAUM et al.			
	7.	4,767,326	08/30/1988	BENNETT et al.			
	8.	5,048,514	09/17/1991	RAMELLA			
	9.	5,287,850	02/22/1994	HABER et al.			
	10.	5,372,128	12/13/1994	HABER et al.			
	11.	5,379,763	01/10/1995	MARTIN			
	12.	5,562,918	10/08/1996	STIMPSON			
	13.	5,595,175	01/21/1997	MALCHER et al.			

## FOREIGN PATENT DOCUMENTS

PATENT REVIEW DOCUMENTS								
		Document Number	Publication Date	Country	Class	Subclass	Translation	
							Yes	No
	14.	367560	02/25/1932	GB			X	
	15.	367580	02/25/1932	GB				
	16.	837157	04/21/1952	DE				
	17.	89/02289	03/23/1989	PCT			X (Abstract)	
	18.	95/31238	11/23/1995	PCT			X	
	19.	2323942	10/07/1998	GB			X	
	20.	99/58180	11/18/1999	PCT			X	
	21.	00/01437	01/13/2000	PCT			X	

**OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)**

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Continue on page \_\_\_\_\_

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.